

MINUTES OF THE
ARIZONA BOARD OF TECHNICAL REGISTRATION

July 24, 2007

9:30 AM

OPEN SESSION

1. CALL TO ORDER - The meeting of the Board of Technical Registration was called to order at 9:30 a.m. by Chairman Stuart Lane.
2. ROLL CALL - Board Members in Attendance: Stuart Lane, Chet Pearson, Susan Schaefer Kliman, Sheila Bowen, Ronald Starling, Richard Pawelko, and Karen Cesare. Absent: Dawn Garcia and Robert Roos. Board Staff: Ronald Dalrymple, Lavern Douglas, Kathryn Fuller, Manuel Maltos, and Cassie Goodwin. Assistant Attorney General: Terrie Sanders.
3. CALL TO THE PUBLIC – No members of the public spoke.
4. ADOPTION OF MINUTES – Dr. Schaefer Kliman moved to approve the June 26, 2007 minutes. Ms. Bowen seconded. After discussion, Motion Carried.
5. ENFORCEMENT MATTERS
 - A. Proposed Letter of Concern
 1. M07-102 Western Technologies, Inc. – Mr. Pearson excused himself from the matter. His firm may be in direct competition with the parties involved. He completed a Conflict of Interest form. Mr. Pawelko moved to issue a Letter of Concern to Craig Wiedeman as the responsible registrant for the Western Technologies Flagstaff branch office. Mr. Starling seconded. After discussion, Motion Carried.
 - B. Proposed Consent Agreements
 1. M06-272 Clifford Don Walding, R.L.S. #33880 – Mr. Lane moved to accept the Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Amendment of Survey; and Cost of Investigation: Pay cost of investigation in the amount of \$215.00. Dr. Schafer Kliman seconded. After discussion, Motion Carried.
 2. M07-007 James D. Downing, P.E. (Agricultural) #19202 – Ms. Bowen moved to accept the Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Administrative Penalty: Pay an administrative penalty in the amount of \$1,500.00; and Cost of Investigation: Pay cost of investigation in the amount of \$490.00. Mr. Pawelko seconded. After discussion, Motion Carried.

3. M07-062 Felix G. Steele, R.L.S. #28234 – Mr. Lane moved to accept the Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand and Cost of Investigation: Pay cost of investigation in the amount of \$125.00. Dr. Schafer Kliman seconded. After discussion, Motion Carried.

4.a M05-418 and 4.b M06-158 Gregory L. Allen, R.L.S. #16097 – Mr. Pawelko moved to accept the Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Professional Education: Respondent shall take and successfully complete six (6) credit hours of professional surveying courses; and Cost of Investigation: Pay cost of investigation. Dr. Schafer Kliman seconded. After discussion, Motion Failed.

Mr. Starling moved to remand this matter to Staff for a new consent agreement with Letter of Reprimand; Peer Review of the next 3 surveys; Professional Education: Respondent shall take and successfully complete six (6) credit hours of professional surveying courses; Administrative Penalty: Pay an administrative penalty in the amount of \$4,000.00; and Cost of Investigation: Pay cost of investigation in the amount of \$900.00. Mr. Pawelko seconded. After discussion, Motion Carried.

5. M06-096 Richard G. Kelly, P.E. (Civil) #26853 – Ms. Bowen moved to accept the Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Professional Education: Respondent shall take and successfully complete a course in the area of geotechnical engineering; and Cost of Investigation: Pay cost of investigation in the amount of \$670.00. Mr. Pearson seconded. After discussion, Motion Carried.

C. Proposed Enforcement Advisory Committee Candidate

1. Kohinoor Kar, P.E. (Civil) #41371 – Mr. Pawelko moved to accept Mr. Kar as an Enforcement Advisory Committee Member. Ms. Bowen seconded. After discussion, Motion Carried.

D. Proposed Peer Reviewers

1. M06-269 Allan Lee Gray, R.L.S. #31595 – Mr. Lane moved to accept Wade E. Poole, R.L.S. #36930 and Scott Burden, R.L.S. #13554 as peer reviewers. Ms. Cesare seconded. After discussion, Motion Carried.

2. M05-199 Lloyd W. Rogers, P.E. (Civil) #17927 – Mr. Pearson moved to accept John B. Oder, P.E. (Civil) #07650, Oleg B. Lysyj, P.E. (Civil) #31130 and Michael D. Todnem, P.E. (Civil) #44739 as peer reviewers. Ms. Cesare seconded. After discussion, Motion Carried.

6. EVALUATION OF APPLICATIONS FOR EXAMINATION AND/OR POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION
 1. Edward Taney – Civil #070229 – Mr. Pawelko moved to grant registration. Ms. Bowen seconded. After discussion, Motion Carried.
 2. Zahid Mahmud – Mechanical #070386 – Mr. Pearson moved to grant registration. Mr. Starling seconded. After discussion, Motion Carried.
 3. Eric Beebe – EIT #070166 – Mr. Pearson moved to allowed Mr. Beebe to take the engineer-in-training examination. Mr. Pawelko seconded. After discussion, Motion Carried.

7. EVALUATION COMMITTEE AND STAFF RECOMMENDATIONS AND POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION (LIST AVAILABLE AT BOARD OFFICE)

1. Granting of professional or in training registration
2. Approval to sit for the professional or in training examination

Mr. Lane moved to accept the committee and staff recommendations listed in items 7.1 through 7.2. Dr. Schafer Kliman seconded. Motion Carried.

8. Board Public Hearing Regarding Proposed Amendment to A.A.C. R4-30-304 Concerning Use of Seals

At 9:57 a.m. the Public Hearing on this matter commenced.
No one from the public was present to address the Board.
At 10:01 a.m. the record was closed.
At 10:14 a.m. the matter adjourned.

9. **Review, Consideration & Possible Vote on the following**

A. Firm Registrations – Registrant Participation Requirements

Mr. Dalrymple advised Board staff is researching other states' controls to firm ownership and registrants' involvement and will make findings available to the Legislation and Rules Committee.

Mr. Starling indicates this matter may need to be addressed on a case by case basis.

This matter was remanded back to the Legislation and Rules Committee.

B. ASBOG Foundation Bylaws – This matter was tabled until Ms. Garcia is available to comment.

C. Standardized Home Inspection form and/or checklist

Mr. Dalrymple stated that Arizona doesn't have a state mandated form like the state of Texas does; in fact, they are the only one who uses a standard form for inspections in their state.

Most of the companies have their own computer program. Some of them are franchise operations and they all use the same program. When the Board first set up the program it looked at various home inspection reports and looked to take what was common to home inspections and put them together in a checklist format to see what met Arizona's standards for content. The use of the checklist is to determine whether or not a home inspection is complete and whether or not it conforms to Arizona standard, both in the evaluation of the new applicants and in investigation cases.

This checklist was prepared in-house by the home inspector committee.

It's available to applicants to get an idea what they are going to be responsible for; to supervising home inspectors to use as a guide when they're scoring potential registrants' parallel inspections; and of course, any home inspector can use it as a guide for preparing their own home inspection reports.

It's not a form. It's a checklist to make sure you've covered those areas that are supposed to be covered.

It's on the website and has been out there since the start of the program. It was one of the first things the committee worked on.

Mr. Starling suggested an article be published in the Board's newsletter reminding home inspectors to use the checklist to verify their report complies with the Arizona Standards.

Mr. Dalrymple stated the Board can put an article in the newsletter reminding the home inspectors it is available to them and urge them to use it to check their own reports to insure compliance with the standards.

10. DIRECTOR'S REPORT

Office Build-out: the workstations and offices for the new staff have been finished.

Staff Changes: We are currently working to fill the four newly authorized positions. Alaesha James has been hired as a Customer Service Representative for the home inspection unit. She came to us from Michigan where she served seven years as an administrative assistant.

Arizona/Sonora Commission: A meeting of the education committee of the Arizona/Sonora Commission in Tucson was held on July 16, 2007. Dr. Schafer Kliman, Ms. Douglas and Mr. Dalrymple met with the committee and developed a draft of a memorandum of understanding.

IBM Contract: IBM did not get a renewal of their contract with the State for further development of the Common Licensing System. They are trying to finish the Board's on-line application program before their contract ends in September.

Computer Network: The Board has upgraded all computers and replaced all desktop printers. All of the printers now use the same print cartridge and also provide copy capability at the workstation.

Mr. Diaz has also migrated the Board off the DOA server to the Board's own server. This will significantly reduce the amount of money the Board pays DOA for data storage space.

11. BOARD CHAIR'S REPORT

On Friday July 13, 2007 the Arizona Government Information Technology Agency ("GITA") had a get together in Peoria Arizona regarding the Geographic Information Systems ("GIS"). This meeting was an open discussion of data collections for GIS and how it impacts the registration laws. There was a pretty good turnout.

Due to a scheduling conflict with the National Council of Examiners for Engineering and Surveying ("NCEES") conference, Mr. Starling will be attempting to attend in the Chairman's place and Ms. Bowen will be attending.

12. FUTURE BOARD MEETINGS -- Tuesday, August 28, 2007 at 9:30 a.m.

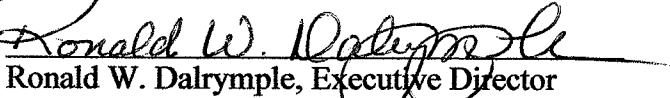
13. FUTURE AGENDA ITEMS

- ASBOG Foundation Bylaws

14. ADJOURNMENT Meeting adjourned at 11:03 a.m.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION


Stuart Lane, Chairman


Ronald W. Dalrymple, Executive Director

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION

BOARD/COMMITTEE MEETING SIGN-IN SHEET

Date: July 24, 2007

If you wish to address the Board or Committee, please sign below. Otherwise, sign-in is voluntary.

	Name (please print)	Affiliation	Subject
1.	P. L. Leung	MO5-418 Landowner	67 ave Hearings Monpos
2.	Jan Caldwell	Landowner	Steele
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State of Arizona
BOARD OF TECHNICAL REGISTRATION

1110 W. Washington Street, Suite 240, Phoenix, Arizona 85007 (602) 364-4930 Fax (602) 364-4931 www.btr.state.az.us

CONFLICT OF INTEREST/BIAS

DATE: July 24, 2007

FROM: S.A.I

In accordance with A.R.S. Section 38-501 et seq., I declare that I may have a vested interest in the following matter and therefore will abstain from voting, or participating in the same due to a conflict of interest for the following reason(s):

CONFLICT: ☒ In direct competition with the parties involved.

☐ This person is an employee ___ partner ___ friend ___
relative ___ other ___ of mine.

☐ Other: _____

BIAS: ☐ I may have special knowledge of this matter which
may prejudice my judgement.

MATTER: _____

Signed: Chet L Pearson

*This form, upon completion, will be incorporated into the minutes of the meeting.